

**Evergreen Fire District
Board of Trustees
Meeting**

**Meeting Minutes
Regular Board Meeting of April 10th, 2023 – 6:00 pm**

CALL MEETING TO ORDER:

Chairman Fallon calls meeting to order @ 6:40 pm

TRUSTEES IN ATTENDANCE:

Fallon, Fontaine, Connolly, and Gipe with 1 seat still vacant.

PERSONNEL IN ATTENDANCE:

Fire Chief Williams, Fire Marshal Covington, Admin Assistant Cheri

RECOGNIZE PUBLIC IN ATTENDANCE:

(none)

PUBLIC COMMENT: *At this time, public may comment on any public matter that is not on the Agenda of the Meeting and that is within the jurisdiction of the District.*

FINANCIALS:

Discuss and approve February 2023 Financials – Action

Fallon states there is some concern regarding account 7204; currently with \$130,000 (reconciliation for February was done on March 30th) as well as the profit and loss for EMS/Fire combined which shows a \$357,000 loss. Facility costs have been \$14,000 over last year; payroll expenses \$173,000 over last year; vehicles are \$27,000 over last year. Medical revenue is down \$330,000 from a year ago. District received \$110,000 in CARES Relief last year and zero this year. Tax revenue is down \$114,000.

Chief Williams states it should be less and Fallon agrees. Chief Williams states that the District should prepare for the loss of inter-facility revenue due to Logan taking the revenue sooner and more quickly than anticipated. He is also concerned due to the merger of Logan and Billings Clinic and states Logan could give a 90 days written notice and end the contract. Logan has 4 ambulances and has moved into Eureka and Libby as well as Cut Bank and Browning areas with 2 ambulances stationed and housing for staff. The District currently has 2 extra people on shift/5 days per week who are primarily FT IFT personnel because the 911 personnel can't take IFT's. Those IFT people are responding out of District to West Valley, Kalispell, Creston, etc. Kalispell has added 4 additional personnel per shift and has drastically cut the District's response into Kalispell. Call volume is still up in District with monthly increases and the last thing Chief Williams would want to do is reduce personnel and not be able to respond to those areas. There have been numerous structure fires and MVA's but they are not revenue generating. Chief Williams states there is much difficulty getting accident information from MHP so that the driver at fault can be billed. The District can request the information from FOIA for a fee of \$25 but receiving the reports in a timely manner is not guaranteed. Evergreen Fire District is seemingly the only department in northwestern MT having difficulty receiving the information from MT Highway Patrol. Chief Williams welcomes all other ideas on how to make up the loss of revenue. Fontaine suggests having a discussion with Dept. of Justice so the District no longer has to fight with MHP to receive accident reports; tow truck drivers and other entities receive the information on scene.

Fontaine; motion to approve the February reconciliations for 7204, 7207, 7250, 7288, and 9428 (Benevolent and HRA reconciliations are not provided); second by Gipe; motion passes.

PAST ITEMS/UPDATES:

1. Approve meeting minutes of March 13th 2023 – Action

Fallon reiterates that \$25,000 can be moved from 7207 to 7250 but other transfers from 7204 to 7250 and 4212 have not occurred yet and will wait until June to make sure there are adequate funds to cover

expenditures. Fallon states he has not yet gotten the Insurance Refund Account set up with Glacier Bank and notes he will do so.

Motion; Gipe to approve the March 13th 2023 Meeting Minutes as presented; second by Connolly; motion passes.

2. Human Resource Survey Data Summary Discussion

Trustee Connolly states he received a summary from Paul Connolly who summarized the demographics of the interviews based on how many people were invited; how many accepted; how many declined; those who did not respond and etc. The District received about 51% participation. Six participants are former employees with approximately 14 current employees. Length of service was broken out and spans 1 to 6 years. Personnel male to female ratio was about 36% female to 64% male. The assessment action and timeline was updated and all interviews have been completed with the exception of one. The summary will be completed by April 24th and will be distributed via email at some point for discussion at the May meeting.

3. Health Benefits Discussion (cont'd)

Trustee Connolly asks if Chief Williams has received any feedback about the flyer posted in several locations within the building in regard to a benefits survey. Chief Williams states the only question he has received is if those who do not have HRA were deliberately left out or if they will be given the opportunity to participate in the survey. Connolly states they will be given the survey questionnaire. All qualified personnel will receive the survey with their April 25th paycheck.

NEW ITEMS:

1 Employee Handbook Revision Discussion– Re-addition of Appeals Process

Chief Williams states that the appeals process should be added back to the employee handbook due to what he is hearing via personnel in direct relation to HR Survey. He states that it was all removed by the attorney during the re-write and no one caught it. He states he is an advocate for the appeals process and should be afforded to any personnel for any disciplinary action. The prior version of the handbook called the process a 'grievance' which is usually associated with collective bargaining. He states it makes more sense to call it an 'appeal' but is the same process as a 'grievance'. Chief Williams states that although any disciplinary action (including termination) has been thoroughly investigated and thought out to not wind up as a liability to the District; it should not infringe on any individual's right to appeal the decision or 'have their say' after disciplinary action. He states he reached out to the attorney and asked for a draft form to present to the Board but has not received a response yet. If the draft is approved by the Board it will be adopted with the employee handbook being re-issued and an acknowledgement signed by all personnel. Gipe asks if the attorney can provide a 'reminder' as to why the 'grievance' process was removed. Covington states there had been an email stating her reasoning and that he can research it. Chief Williams states the attorney followed a lot of the 'state guidelines/laws' and was in agreement that the term 'grievance' was more in-line with collective bargaining which doesn't pertain to the District because there is no union. Gipe asks if an employee would be appealing to the Board. Chief Williams states that past practice has been following the Chain of Command; starting at the Lieutenant level with disciplinary action. An employee would take their appeal to the person issuing the disciplinary action and proceeds to the next level in the Chain of Command. He states if he is issuing disciplinary action or termination then the appeal would be sent to him and he would forward it to the Board to maintain transparency and then would investigate the appeal; make his finding; and then report it to the Board. Chief Williams states if he has an issue with something the Board has or has not done; he has no avenue for grievance or appeal. He states there have been past issues brought to the Board but didn't 'go anywhere' for various reasons. He asks if he feels something unsatisfactory has occurred at the Board level, what is his avenue of recourse. His opinion is that if the Board receives something from the administration or himself; there should at least be an acknowledgement with a defined set time for a Board response. He states in the grievance process he is given a definitive amount of time to investigate a claim or complaint in regard to an employee and that it should be the same expectation for the Board. This expectation does not currently exist in the handbook. If there is inaction from the Board in regard to Chief Williams' complaint then his next level of recourse is the County Commissioners office. Fallon states Commissioners only get involved if there is a financial issue but as far as trustee/personnel relationships; the only avenue of recourse for the Fire Chief would be

litigation. Fallon states that if an employee's complaint is about the Fire Chief and goes to the Board, the handbook does not state the Board can bring in an outside investigator but it can be added with the 'appeal' re-write.

2 Training Wage Discussion

Chief Williams states he had a discussion with an investigator with the Wage and Hour Division for the State of Montana in regard to the struggles with training. He states the District is incurring pretty significant outside training and OT costs and he did not know the District could do a 'weighted average' for over time which is basically a reduced training/OT wage to \$13.00 per hour unless the training is a condition of employment. Board determines this is an administrative decision and not an action item for the next meeting.

CHIEF'S REPORT:

Chief Williams tells the Board that the Seagrave pumper was sold at Creston Auction for \$7000 with Creston taking \$1100.00 for fees and etc. Approx. \$5900 will be transferred to CIP. He is still waiting for another check for the tires. Chief Williams states that he will be sending out a written 30 day notice to the current counselor for the District in regard to terminating his services. He has vetted another counselor who seems to be a better fit with personnel. The new counselor's services will be in conjunction with Brave Heart. Chief Williams states 9 new personnel are about half way through fire academy which should be ending June 5th.

February 2023 Call Volume

a) 2022/23 Comparison Incident Count by Weekday/Hour (all zones)

b) 2022/23 Comparison Incident Statistics

Chief Williams states that January and February of this year show a slight increase with 104 EMS calls vs. 91 last year. He states it is the non-medical calls that have the department very busy. 1 structure fire a day is what the District has been responding to. He states personnel have been responding to pretty traumatic scenes and dealing with a lot of deaths, stating they were called to a gunshot scene today. Data show 336 EMS calls vs. 445 EMS calls in 2022. He reiterates that IFT's are decreasing with data showing 66 in February vs. 109 in February 2022. However, Evergreen transports show 93 in February vs. 81 in Evergreen last year. Calls into City of Kalispell have declined and shows 9 vs. 37 in 2022. There is an increase in calls to Creston with 14 calls vs. 8 in 2022 and the District has picked up 15 calls to West Valley vs. 1 call in February 2022. He states he tried to get the collection rate from Pintler but it was reported to them in January so they only had about a week's worth of data. The data should be available for the next board meeting in May. Chief Williams reminds trustees that there isn't a report that shows EMS transports, only. The reports show total call volume and includes Fire and MVA's in the data. He deducts the EMS transports from the IFT numbers. Also, he cannot get a report showing Fire only data because it includes MVA's, downed power lines and etc.

Adjourn @ 8:31 pm

The President of the Board of Trustees, as presiding officer of any meeting of the Board of Trustees, may close the meeting during the time the discussion relates to a matter of individual privacy; and, then, if, and only if, the presiding officer determines that the demands of individual privacy clearly exceed the merits of public disclosure. The right of individual privacy may be waived by the individual about whom the discussion pertains; and, in that event, the meeting must be open.



Board Chairman Fallon or Vice Chairman Connolly



Secretary or other Trustee